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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,167	12/29/2000	Merle L. Miller	2069.008600	8941
23720 7590 09/04/2009 WILLIAMS, MORGAN & AMERSON 10333 RICHMOND, SUITE 1100 HOUSTON, TX 77042				
EXAMINER JAMAL, ALEXANDER				
ART UNIT		PAPER NUMBER		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments have been fully considered but they are not persuasive.

As per applicant's argument that the examiner's 112 rejection of the claimed feedback loop is improper, the examiner disagrees. As cited by applicant, the MPEP requires that the claims are recited with clarity and precision. Applicant's claimed feedback loop is not clear. Applicant notes the figure 2 as enabling the feedback loop. The examiner contends that even applicant's figure 2 is not clear. The signal being fed back into the current sensing circuit will be affected by signals between blocks 355,360,305,315,317,321,320,322,350,318,319. The examiner notes the connected nodes between said blocks will all couple to and affect the feedback signal at block 270. It is not clear where the feedback path is. How can a feedback path have an input and output terminal? Further, the feedback signal will change depending on the state of the various components (such as switch 319) which further makes the 'feedback path' vague and undefined. The path is not clearly defined because the components that make up the path are not recited and the path in applicant's figure 2 is not clearly defined. The examiner again request applicant to remove the feedback loop term and claim the device in terms of the disclosed processing stages.

As per applicant's comment about the MPEP stating that some imprecision is allowed in the claims in order to cover multiple embodiments, the examiner notes that there is only one embodiment disclosed in Figure 2, and that embodiment does not

clearly define a feedback path as there are multiple connected nodes and processing blocks all affecting the feedback signal at block 290 (or block 270).

As per applicant's arguments that the examiner's interpretation of the claims is incorrect, the examiner again notes applicant's unclear claim language as per the outstanding 112 rejection. It is not clear how a feedback loop would be read in terms of applicant's claimed device.

Applicant argues repeatedly how the claimed feedback loop is different from the cited prior art Moyal. The examiner notes that Moyal discloses a feedback loop in a subscriber circuit, with a switch coupled so to bypass certain signals in order to protect voice processing circuitry (including an A/D). This is the same concept being applied by applicant. The examiner admits that applicant's complete figure 2 is not exactly disclosed by Moyal, however the examiner notes that applicant's claims as written are unclear and do not recite the entire circuit of figure 2. How much coverage is a judge or court supposed to grant on a patent to applicant's claim 9 as written? What exactly defines a feedback path? Where is it feeding from, where is it feeding to? What is the input of a feedback path? What is the output? How can it be a feedback path without being coupled to the device to which it is feeding back? Where is the input and output in relation to said device?

As per applicant's arguments regarding the impedance of  $V_{in}$ ,  $V_{in}$  is a reference signal and one skilled in the art would realize that the 'Vin line impedance' is negligible if not shown as a resistance. As per applicant's comments on wikipedia, the examiner contends that sealing current is a well known term in the art.

As per applicant's arguments about the ring command signal, the examiner notes that the ring command is the control signal. The purpose of a ring command is to control the ringing generator.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Jamal whose telephone number is 571-272-7498, and whose email address is alexander.jamal@uspto.gov

The examiner can usually be reached on M-F 8AM-5PM.  
If attempts to reach the examiner by telephone or email are unsuccessful, the examiner's supervisor, Curtis A Kuntz can be reached on 571-272-7499.

The fax phone numbers for the organization where this application or proceeding is assigned are **571-273-8300** for regular communications and **571-273-8300** for After Final communications.

/Alexander Jamal/

Primary Examiner, Art Unit 2614

Examiner Alexander Jamal

September 4, 2009